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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 FRANCISCO LUIS MCARTHUR,

13 Defendant.

2:22-CR-110-APG-NJK

Preliminary Order of Forfeiture

14 This Court finds Francisco Luis McArthur pled guilty to Count One of a One-Count
15 Criminal Information charging him with possession of stolen mail in violation of 18 U.S.C.
16 § 1708. Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement,
17 ECF No. __.

18 This Court finds Francisco Luis McArthur agreed to the forfeiture of the property set
19 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information.
20 Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF
21 No. __.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
23 States of America has shown the requisite nexus between property set forth in the Plea
24 Agreement and the Forfeiture Allegation of the Criminal Information and the offense to
25 which Francisco Luis McArthur pled guilty.

26 The following property is any property, real or personal, which constitutes or is derived
27 from proceeds traceable to a violation of 18 U.S.C. § 1708, a specified unlawful activity as
28 defined in 18 U.S.C. 1956(c)(7)(D), or a conspiracy to commit such offense:

1 1. Assorted United States Mail, including, but not limited to:

2 a. two Clark County Election Department Official Absent Voter Ballots
3 addressed to victims E.J.G. and M.S.C.; and

4 b. one Nevada EBT card not in defendant's name

5 (all of which constitutes property).

6 This Court finds that on the government's motion, the Court may at any time enter
7 an order of forfeiture or amend an existing order of forfeiture to include subsequently
8 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
9 32.2(b)(2)(C).

10 This Court finds the United States of America is now entitled to, and should, reduce
11 the aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
13 DECREED that the United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
15 rights, ownership rights, and all rights, titles, and interests of Francisco Luis McArthur in
16 the aforementioned property are forfeited and are vested in the United States of America
17 and shall be safely held by the United States of America until further order of the Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
19 of America shall publish for at least thirty (30) consecutive days on the official internet
20 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
21 describe the forfeited property, state the time under the applicable statute when a petition
22 contesting the forfeiture must be filed, and state the name and contact information for the
23 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
24 and 21 U.S.C. § 853(n)(2).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
26 or entity who claims an interest in the aforementioned property must file a petition for a
27 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
28 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §

1 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
2 right, title, or interest in the forfeited property and any additional facts supporting the
3 petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
5 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
6 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
7 not sent, no later than sixty (60) days after the first day of the publication on the official
8 internet government forfeiture site, www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
10 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
11 Attorney's Office at the following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 James A. Blum
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
19 described herein need not be published in the event a Declaration of Forfeiture is issued by
20 the appropriate agency following publication of notice of seizure and intent to
21 administratively forfeit the above-described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record.

24 DATED June 8, 2022, 2022.

25 
26 UNITED STATES DISTRICT JUDGE
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